

*Western Regional Office - Programs Division
Office of the Assistant Director of Education*

February 6, 2018

Dear Students and Parents and Guardians:

I would like to provide you with some information about an ongoing situation at Stephenville High School and actions taken to address this matter.

First of all, I would like to assure you that the safety of students and staff has been our primary concern when preparing a plan in response to this challenging circumstance.

The Newfoundland and Labrador English School District is aware that a male student of the school is accused of sexual assault with the charges concerning a female student, and possibly others, attending the school. While the District does not have full details of the charges against the student as this information is protected by the Youth Criminal Justice Act, it is important to indicate, to our knowledge, that the assaults are not alleged to have occurred at school. With that said, the District and the school administration recognize the need to ensure student safety at school.

These are extremely challenging situations for all involved, including the students, families, school staff, and the entire school community. The District is cognizant of the impact such an alleged incident can have on a victim and undertakes every effort available to protect student safety.

While measures are put in place to protect the safety of students, there are limited circumstances under the *Schools Act, 1997* to enable the District to remove a student from school; a criminal charge, however serious, does not authorize removal. While any actions in response to the current situation must comply with statutory requirements, the District is following the guidance of the Safe & Caring Schools policy and is committed to ensuring the safety and well-being of all students.

The District has extensive experience in implementing safety plans in schools in situations involving criminal charges which involve students. Safety is the paramount concern for the District and the safety plans may include alternate education plans and physical separation of students. Movement of students within the school may be restricted and, where necessary, supervision may be imposed during the school day.

The District will abide by any restrictions imposed on an accused under a Recognizance or other Court Order. However, it can only do so when it is aware of the information and decisions of the court and only if the court includes the school setting as part of the terms of the recognizance or order. The District cannot influence such Orders, and may not even be aware of the proceeding.

With that said, the District has recently engaged in important consultation with the RCMP, the Office of the Child and Youth Advocate, the Provincial Advisory Council on the Status of Women, the Public Legal Information Association of Newfoundland and Labrador, and the Newfoundland and Labrador Sexual Assault Crisis and Prevention Centre to discuss what we perceive to be deficiencies in the process. We have also discussed with these community partners how we can collaboratively develop a District sexual violence policy. This discussion has been progressive and will continue with other government departments.

Returning to the current situation at Stephenville High School, the District will continue its work to ensure a safe learning environment is provided for all students and will continue to collaborate with the school administration on this priority. The District is closely monitoring the current situation and understands the student accused of the charges will not be in attendance at school.

Once again the District is very aware of the concern of the school community. This is a challenging situation for everyone involved and I would like to thank you for taking the time to read and consider this letter and for understanding the circumstance of the school and school district. We believe it was important for the school community to have an understanding of the limitations of the school and District, as well as the efforts being undertaken in the interest of student safety despite those limitations.

Sincerely,



Donna Miller Fry,
Assistant Director – Programs (Western)

